

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

IN RE

DARRELL S. SMOTHERS,

Debtor(s).

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CHAPTER 13
CASE NO.: 18-10806

NOTICE OF OBJECTION TO CLAIM

Movant has objected to your claim filed in this bankruptcy case.

Your claim may be reduced, modified or eliminated. You should read these papers carefully and discuss them with your attorney. If you do not have an attorney, you may wish to consult one.

If you have legal grounds to oppose the objection, or if you wish the court to consider your views on the objection, you must file a written request for a hearing with the Clerk of the Bankruptcy Court before the expiration of thirty (30) days from the date stated in the certificate of service.

If you mail your request for hearing to the court, you must mail it early enough so that it will be received within the time referenced above.

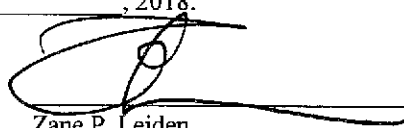
Any request for a hearing must also be mailed to the moving party and all other persons indicated in the certificate of service attached to these pleadings.

If a timely request for hearing is filed, you will receive a notice of the date, time and place of hearing.

If you or your attorney do not take these steps, the court will decide that you do not oppose the objection to your claim.

Claimant has been served with a copy of the objection and a copy of this notice, and if claimant is a U.S. government agency, the U.S. Attorney, P.O. Box 8970, Savannah, Ga 31412 (or P.O. Box 2017, Augusta, Ga 30903), and the Attorney General in Washington, D.C. 20530 have also been serviced.

DATED this 13th day of August, 2018.


Zane P. Leiden
Attorney for Movant
GA Bar No. 445820
Leiden and Leiden
330 Telfair Street
Augusta, Georgia 30901
(706) 724-8548
courtinfo@leidenandleiden.com

Lucinda Rauback
Clerk of United States Bankruptcy Court
Southern District of Georgia

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CHAPTER 13
CASE NO.: 18-10806

**DEBTOR'S OBJECTION TO THE PROOF OF CLAIM #8 OF
ARMY & AIR FORCE EXCHANGE SERVICES**

NOW COMES Darrell S. Smothers, Debtor in the above-referenced Chapter 13 case, and respectfully shows the Court his Objection to the Proof of Claim filed by Army & Air Force Exchange Services. In support of this Objection, Debtor avers the following:

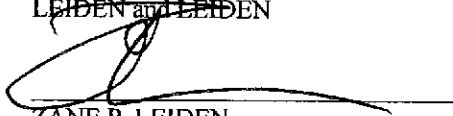
1. Debtor filed this Chapter 13 case on June 7, 2018. A Proof of Claim was subsequently filed by Army & Air Force Exchange Services.
2. Army & Air Force Exchange Services has filed a secured Proof of Claim, however the debt is unsecured. The proof of claim lacks documentation to identify specific collateral or support a secured claim.

WHEREFORE, the Debtor respectfully requests that the Proof of Claim #8 of Army & Air Force Exchange Services be reclassified as a general unsecured claim, and be paid accordingly through the Chapter 13 plan.

Respectfully submitted this 13th day of August, 2018.

~~LEIDEN and LEIDEN~~

By:


ZANE P. LEIDEN
GA Bar No.: 445820

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CHAPTER 13
CASE NO.: 18-10806

ORDER ON DEBTOR'S OBJECTION TO PROOF OF CLAIM #8 OF
ARMY & AIR FORCE EXCHANGE SERVICES

After proper notice and no response being filed by the deadline by Army & Air Force Exchange Services, Debtor's Objection is hereby granted.

WHEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that Claim #8 of Army & Air Force Exchange Services be reclassified as a general unsecured claim, and be paid accordingly through the Chapter 13 plan.

[END OF DOCUMENT]

Presented by:

A handwritten signature in black ink, appearing to read 'Zane P. Leiden', with a long horizontal flourish extending to the right.

ZANE P. LEIDEN

COUNSEL FOR DEBTOR

Ga. Bar No. 445820

LEIDEN and LEIDEN

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CHAPTER 13
CASE NO.: 18-10806

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the within and foregoing **DEBTOR'S OBJECTION TO PROOF OF CLAIM #8 OF ARMY & AIR FORCE EXCHANGE SERVICES** and **NOTICE OF OBJECTION TO CLAIM** upon the following by depositing same in the United States Mail, addressed as follows, with sufficient postage attached.

Army & Air Force Exchange Services
ATTN: GC-G/OFFICER/AGENT
3911 S. Walton Walker Blvd.
Dallas, TX 75236

I hereby certify that I have served a copy of the within and foregoing **DEBTOR'S OBJECTION TO PROOF OF CLAIM #8 OF ARMY & AIR FORCE EXCHANGE SERVICES** and **NOTICE OF OBJECTION TO CLAIM** upon the following via electronic filing:

OFFICE OF THE
CHAPTER 13 TRUSTEE

DATED this 13th day of August, 2018.

LEIDEN and LEIDEN

By:

Kathleen Walden
Kathleen Walden

330 Telfair Street
Augusta, Georgia 30901
(706) 724-8548
courtinfo@leidenandleiden.com